

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

UNITED STATES OF AMERICA

VS.

DAVID LEE EVANS,

Defendant

NO. 5: 08-MJ-07-01 (CWH)

REMOVAL PROCEEDINGS  
FROM THE S. D. OF WEST VIRGINIA  
No. 3:08-00095

**ORDER OF REMOVAL**

The above-named defendant is charged in an INDICTMENT with violation of 21 U.S.C. §841(a)(1), alleged to have been committed in the SOUTHERN DISTRICT OF WEST VIRGINIA.

BRIEF DESCRIPTION OF CHARGES:

**Possession With Intent to Distribute Five  
Grams or More of Cocaine Base ("Crack")**

After a hearing under provisions of Rules 5/40 of the Federal Rules of Criminal Procedure held on July 15, 2008, the undersigned found that the IDENTITY of said defendant

- ☐ has been established by clear and convincing evidence  
☒ has been admitted by the defendant.

☒ The court further finds that the PRETRIAL DETENTION of the defendant is required based upon findings this day made at a Detention Hearing held before the undersigned, a separate ORDER OF DETENTION PENDING TRIAL having been entered; or,

☐ The court further finds that conditions for the release of this defendant can be set by the court to insure his/her appearance in the district of prosecution; a separate Order of Release has been entered by the court.

ACCORDINGLY, SUBJECT TO THE ABILITY OF THE DEFENDANT TO SATISFY THE CONDITIONS OF RELEASE IMPOSED HEREIN (if any), the defendant is ordered REMOVED to the district of prosecution, and the United States Marshal (or such other authorized agency) is COMMANDED to take custody of the defendant and transport him/her with a certified copy of this commitment forthwith to the district of offense specified above and there deliver the defendant to the United States Marshal for that district or to some other officer authorized to receive him/her, all proceedings required by Rules 5/40 of the Federal Rules of Criminal Procedure having been completed.

SO ORDERED AND DIRECTED, this 16<sup>th</sup> day of JULY, 2008.



A handwritten signature in blue ink, appearing to read "Claude W. Hicks, Jr.", written over a horizontal line.

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE